

3123-2123-5L

JS 44 (Rev. 12/07) (cand rev 1-16-08)

CIVIL COVER SHEET

ADR

ECF

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS

SEBASTIAN DEFRENCESCO

DEFENDANTSSRI OLD TOWN, LLC; FEDERAL REALTY INVESTMENT TRUST;
TOWN OF LOS GATOS(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

Paul Rein, Esq.

Law Offices of Paul Rein

200 Lakeside Drive, STE A, Oakland CA, 94612

(ph) 510/832-5001 (fax) 510/832-4787

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question
(U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY		
120 Marine	310 Airplane	362 Personal Injury—Med. Malpractice	422 Appeal 28 USC 158	400 State Reapportionment
130 Miller Act	315 Airplane Product Liability	365 Personal Injury—Product Liability	423 Withdrawal 28 USC 157	410 Antitrust
140 Negotiable Instrument	320 Assault, Libel & Slander	368 Asbestos Personal Injury Product Liability		430 Banks and Banking
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	370 Other Fraud		450 Commerce
151 Medicare Act	340 Marine	371 Truth in Lending		460 Deportation
152 Recovery of Defaulted Student Loans (Excl. Veterans)	345 Marine Product Liability	380 Other Personal Property Damage		470 Racketeer Influenced and Corrupt Organizations
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	385 Property Damage Product Liability		480 Consumer Credit
160 Stockholders' Suits	355 Motor Vehicle			490 Cable/Sat TV
190 Other Contract	360 Other Personal Injury			810 Selective Service
195 Contract Product Liability				850 Securities/Commodities/ Exchange
196 Franchise				875 Customer Challenge 12 USC 3410
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
210 Land Condemnation	441 Voting	510 Motions to Vacate Sentence Habeas Corpus:	861 HIA (1395ff)	890 Other Statutory Actions
220 Foreclosure	442 Employment	530 General	862 Black Lung (923)	891 Agricultural Acts
230 Rent Lease & Ejectment	443 Housing/Accommodations	535 Death Penalty	863 DIWC/DIW (405(g))	892 Economic Stabilization Act
240 Torts to Land	444 Welfare	540 Mandamus & Other	864 SSID Title XVI	893 Environmental Matters
245 Tort Product Liability	445 Amer. w/Disabilities - Employment	550 Civil Rights	865 RSI (405(g))	894 Energy Allocation Act
290 All Other Real Property	446 Amer. w/Disabilities - Other	555 Prison Condition		895 Freedom of Information Act
	440 Other Civil Rights			900 Appeal of Fee Determination Under Equal Access to Justice
				950 Constitutionality of State Statutes
IMMIGRATION	FEDERAL TAX SUITS			
	462 Naturalization Application		870 Taxes (U.S. Plaintiff or Defendant)	
	463 Habeas Corpus – Alien Detainee		871 IRS—Third Party 26 USC 7609	
	465 Other Immigration Actions			

V. ORIGIN (Place an "X" in One Box Only) 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened

Transferred from

 5 another district (specify) 6 Multidistrict Litigation

Appeal to District

 7 Judge from Magistrate Judgment**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Americans With Disabilities Act of 1990; 42 USC 12101ff; Public facility denying access to physically disabled persons

Brief description of cause:

Public facility denying access to physically disabled persons

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE
"NOTICE OF RELATED CASE".**IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2)
(PLACE AND "X" IN ONE BOX ONLY)** SAN FRANCISCO/OAKLAND SAN JOSE

DATE

5/14/09

SIGNATURE OF ATTORNEY OF RECORD

Paul Rein